

Judge Acey promoting foster child law

Asotin County jurist is working with Washington lawmakers to pass law to provide lawyers for foster kids

William D. Acey

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By KERRI SANDAINE of the Tribune | [0 comments](#)

An Asotin County judge believes providing attorneys for vulnerable foster kids in dependency cases will lead to better outcomes and save money.

Superior Court Judge William D. Acey is hoping lawmakers in Olympia agree by passing legislation calling for legal representation for children whose parents have had their parental rights terminated. He has been fighting for the change, saying Washington is among the worst states in protecting children's rights in dependency proceedings.

"I am very excited about the prospect of my dream of a lawyer for every foster kid becoming a reality," Acey said. "I think this is a move in the right direction."

Under Washington code, kids age 12 or older have the option to ask for an attorney, but younger children don't have the same legal right. The judge said most states automatically appoint attorneys for children, and Washington is ranked 48th in the nation in protecting the legal interests of foster children.

While presiding over child welfare cases in Asotin, Garfield and Columbia counties, Acey had a long-standing policy of appointing legal representation for every youngster who was removed from parental care for alleged abuse or neglect.

The Hells Canyon Circuit was the only court in the state with such a policy, and Acey wants it to become a statewide rule, so every foster kid in Washington has the same legal rights. The state's 39 counties now handle dependency cases in a variety of ways. Adolescents receive attorneys in some counties and few children are represented by counsel in others. This bill is designed to address "justice by geography," Acey said.

"In the Hells Canyon Circuit, it works," Acey said. "We get kids out of foster care faster than any other county in the state, and we are the only jurisdiction that met all federally required timelines in dependency cases for the last two years."

Acey has been working to get the law changed with a group called Legal Representation for Youth in the Dependency System.

Proponents of the legislation say it will save money because maintaining children in foster care is much costlier than placing them in permanent homes. The Office of Financial Management estimates 649 children will receive counsel under the proposed legislation, and the cost of providing attorneys is estimated at \$951,000.

According to Columbia Legal Services, one of the bill's backers, the potential cost savings from placing kids in permanent homes and getting them out of foster care will more than offset the costs of legal representation for children.

The proposed legislation provides attorneys to children whose parents have had their parental rights terminated by the court, and for every kid involved in child welfare cases in two pilot counties. It also calls for cost sharing between the counties and the state and requires the children's attorneys to comply with specified practice standards.

State Rep. Roger Goodman, D-Kirkland, is sponsoring the bill in the House, and Sen. Jeannie Darneille, D-Tacoma, is the primary sponsor in the Senate. Acey plans to testify telephonically before the House Judiciary Committee later this week.